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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

| | | |
|---------------------------|---|-----------------------------------|
| UNITED STATES OF AMERICA, |) | Criminal No. CR 06-00188 SI |
| |) | |
| Plaintiff, |) | |
| |) | |
| |) | STIPULATION AND [PROPOSED] |
| |) | ORDER EXCLUDING TIME |
| v. |) | |
| |) | |
| |) | |
| ISAAC NICHOLAS GARCIA, |) | |
| |) | |
| Defendant. |) | |

The above-captioned matter came before the Court on May 26, 2006 for status and the possible setting of a motion schedule or trial date. The defendant was represented by Barry J. Portman and the government was represented by William C. Martin, Assistant United States Attorney. Mr. David Fermino, defendant's regular counsel, was unavailable. This case was then continued until June 2, 2006, at 11:00 A.M. for status and the possible setting of a motion schedule or trial date.

The Court made a finding on the record that the time from May 26 through and including June 2, 2006, should be excluded under the Speedy Trial Act, 18 U.S.C.

STIPULATION AND [PROPOSED]
ORDER EXCLUDING TIME
CR 06-00188 SI

1 § 3161(h)(8)(A), because the ends of justice served by taking such action outweighed the best
2 interest of the public and the defendant in a speedy trial. That finding was based on the need for
3 the defendant to have reasonable time necessary for effective preparation, taking into account the
4 exercise of due diligence, and for continuity of counsel pursuant to 18 U.S.C.

5 § 3161(h)(8)(B)(iv).

6 The parties hereby agree to and request that the case be continued until June 2, 2006,
7 and that the exclusion of time until then be granted. The parties agree and stipulate that the
8 additional time is appropriate and necessary under Title 18, United States Code, Section
9 3161(h)(8)(A), because the ends of justice served by this continuance outweigh the best interest
10 of the public and the defendant in a speedy trial. This time exclusion will allow defense counsel
11 to effectively prepare, taking into account the exercise of due diligence, and will provide for
12 continuity of counsel for the defendant.

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15 DATED: May 30, 2006

/s/

BARRY J. PORTMAN
Attorney for Defendant

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18 DATED: May 30, 2006

/s/

WILLIAM C. MARTIN
Assistant U.S. Attorney

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20 So ordered.

21 DATED:



SUSAN ILLSTON
UNITED STATES DISTRICT COURT JUDGE